Business Operation Office

PEO STRI
STOC Ombudsman
Procedures

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History

- **STOC contracts awarded in 1999.**
- **FAR 16.505(b)(5) mandates appointment of an Ombudsman to review complaints regarding fair opportunity to compete.**
- **PEO has always had an Ombudsman.**
- **No prescribed procedures to review complaints.**

Procedures

- **The PEO STRI Business Operations Executive has been designated as the STOC Ombudsman.**
- **Charged with making recommendations to the PEO STRI Director of Contracts resulting from contractor complaints.**
- **Procedures are flexible to allow the Ombudsman maximum ability to fairly evaluate complaints.**

Procedures, continued

- **Complaint can be filed before or after award – within 10 days when the contractor knew or should have known of basis for complaint.**
- **Any stop work order is done at the sole discretion of the Director of Contracts.**
- **Contractor agrees not to file protest while Ombudsman reviews complaint.**
  - **Contractor rights are protected since they can file a protest with the GAO after receiving determination by the Director of Contracts.**

Procedures, continued

- **A contractor should include all relevant information and documents with their complaint.**
- **Within ten (10) days of receipt, the Contracting Officer will prepare an administrative report for the Ombudsman.**
- **The contractor will be given an opportunity to rebut the administrative report.**
  - **Release of or redaction of administrative report is at the sole discretion of the Ombudsman. FOIA exemption analysis will be employed.**

Remedies

- **Ombudsman makes recommendations to the Director of Contracts.**
- **Standard for review – the contractor must show that fair opportunity was denied AND that he was prejudiced by the agency's award decision.**
- **Ombudsman recommendations are flexible to meet the needs of any given determination.**
  - **Remedies range from reconsideration of award decision to recompetition for award.**

Objective

- **Provide a meaningful avenue of relief for STOC contractors.**
- **Ensure integrity of PEO STRI procurements under STOC.**
- **Establish more uniform procurement processes at PEO STRI.**